IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 13387 of 2004

Between:

G. Mukundam, S/o G. Ankaiah,
O/o A.P.H.M.M. I.D.C. Koti, Hyderabad District.

..... PETITIONER

AND

1 Andhra Pradesh Scheduled Castes Co-operative Finance Corporation Limited, Hyderabad, rep. by its Vice Chairman & Managing Director.
2 The Government of Andhra Pradesh, rep. by Principal Secretary to Government, Social Welfare Department, Secretariat Buildings, Hyderabad.
3 The Chief Engineer, Tribal Welfare Engineering Department, Samkshema Bhavan, Masab Tank, Hyderabad.
4 Sri K. Vijay Kumar, District Scheduled Castes Service Co-operative Society Ltd, Subhash Nagar, Nizamabad.
5 Sri P. Raghu Rama Raju, D.P.E.A.P. Department of School Education, Saifabad, Hyderabad.
6 Sri V. Virupakasha, District Scheduled Castes Service Co-operative Society Ltd, Warangal, Warangal District.
7 Sri T. Kantha Rao, A.P.H.M.H.I.D.C. Warangal, Warangal District.
8 Sri R. Upendranath Reddy, District Scheduled Castes Service Co-operative Society Ltd, Mahaboobnagar, Mahaboobnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent Corporation changing the

placement and pushing the petitioner down to Sl.No. 42 in the final seniority list of Deputy Executive Engineers communicated vide Procs.No. A2/1012/APSC/2004 dated
19-7-2004 of the respondent Corporation far below his juniors as arbitrary, illegal and unconstitutional and consequently to direct the Respondents to restore the seniority of the petitioner over and above his juniors and to assign him placement immediately below Sri M. Anil Kumar who is assigned placement at Sl.No.6 in the final seniority list dated 19-7-2004 with all consequential benefits

Counsel for the Petitioners: MR.P.NAVEEN RAO

Counsel for the Respondent No.1: MR.M.V.S.SURESH KUMAR

Counsel for the respondents No.2 and 3: G.P. for Social Welfare

The Court made the following:

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ORDER:

This writ petition is filed seeking a writ of Mandamus calling for all the connected records including the impugned proceedings of

1st respondent dated 19-07-2004 and quash the same as illegal, arbitrary and contrary to law with a consequential direction to the official respondents to prepare final seniority list as per rules in vogue which were followed by Government Engineering Wings in the cadre of Deputy Executive Engineers by following the date of appointment in the cadre of Assistant Executive Engineers by following Rule 33(a) and 34 of A.P.State and Subordinate Service Rules.

Heard the learned counsel appearing for the petitioners and the respondents.

Learned standing counsel submits that with regard to the impugned proceedings dated 19-07-2004 a large number of Deputy Executive Engineers have filed objections to the seniority list. The matter has been examined by the official respondents and decided to reconsider the whole issue afresh and finalize the seniority list on which there are least objections, hence, the proceedings dated 19-07-2004 have been withdrawn.

A copy of the proceedings dated 04-09-2004 passed by the Vice Chairman and Managing Director, A.P. Scheduled Castes Cooperative Finance Corporation Limited, Hyderabad is made available to this Court, therefore, there is no lis to adjudicate with regard to the proceedings dated 19-07-2004. If there are any objections, on the seniority list to be prepared, leave is granted to the petitioners to challenge the same including the contentions raised in this writ petition.

Accordingly, the writ petition is disposed of. No order as to costs.

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K.C. BHANU, J

Dated: 18-07-2005

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To

1 The Vice Chairman and Managing Director, A.P. Schedules Castes Co-operative Finance Corporation Limited, Masab Tank, Hyderabad.
2 The Principal Secretary, Government of Andhra Pradesh, Social Werlare Department, Secretariat Buildings, Hyderabad.
3 The Chief Engineer, Tribal Welfare Engineering Department, Samkshema Bhavan, Masab Tank, Hyderabad.

4 Two C.Cs. to the Government Pleader for Sociald Welfare, High Court buildings, Hyderabad. (OUT)

5 Two C.D. copies.